

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

WILLIAM LESTER DONALDSON

Case No. 3:11-cr-00079-1  
Chief Judge Haynes

MOTION TO SUPPRESS FRUITS OF ILLEGALLY INTERCEPTED  
VIDEO AND AUDIO SURVEILLANCE AND INCORPORATED  
MEMORANDUM OF LAW

COMES NOW the Defendant, William Lester Donaldson, by and through his undersigned counsel, and pursuant to Federal Rule of Criminal Procedure 12(b)(3), hereby respectfully moves the Court for an Order suppressing the fruits of a 10/5/10 video/audio surveillance conducted by law enforcement inside a vehicle owned by the Defendant.

**Background**

On September 24, 2010, Mr. Donaldson purchased a red 2002 Chevrolet pickup truck from his friend and neighbor, Bill Goney, in Celina, Tennessee. At the time of the transaction, Goney signed over the legal title of the truck to Mr. Donaldson, but Donaldson did not immediately register the vehicle. Unbeknownst to Mr. Donaldson, Mr. Goney was cooperating with local law enforcement in the investigation that led to Donaldson's indictment in this case. Sometime within the next week, Goney, in his role as a cooperating government witness, entered on to Mr. Donaldson's property, accessed the pickup truck from inside Donaldson's garage, and drove the vehicle away. The police then installed a video surveillance camera inside of Mr. Donaldson's vehicle. Significantly, the video camera also had the capability of recording audio information. The police did not obtain a warrant before Goney seized Mr. Donaldson's vehicle or law enforcement installed the video surveillance camera. On October 5, 2010, the video